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**N.A.S.D. REGULATION AWARD**  
**NATIONAL ASSOCIATION OF SECURITIES DEALERS REGULATION, INC.**

CASE: 96-03685

Mark M. & Joclyn Melzl, claimants v. \*Aufhauser & Company, Inc., Jim Rickets and Ameritrade Inc., respondents.

**ATTORNEYS:**

Claimants appeared pro se - Old Bridge, NJ.

For Respondents appeared Jim Rickets - New York, NY.

**DATE FILED: 8/26/96**

**CASE SUMMARY:** Claimant alleged misrepresentations and omissions, breach of fiduciary duty, breach of the implied covenant of fair dealing and good faith and failure to adequately investigate claimant's allegations.

**Claim Data**

Claim: \$4,007.50  
Punitive: \$.00  
Atty Fees: \$.00  
Filing Fees: \$.00  
Other: \$.00

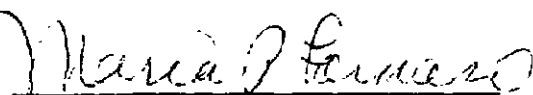
**Award Data**

Award: \$1,000.00  
Punitive: \$.00  
Atty Fees: \$.00  
Filing Fees: \$125.00  
Other: \$.00

**AWARD:** The undersigned arbitrator has decided and determined in full and final resolution of the issues submitted for determination as follows: 1) Respondents are jointly and severally liable and shall pay to the claimants \$1,000.00. 2) All other requests for relief are denied. 3) The \$125.00 filing fee previously deposited by the claimants with the National Association of Securities Dealers Regulation, Inc. shall be retained by NASD Regulation, Inc. Respondents are jointly and severally liable and shall pay claimants \$125.00 as reimbursement for their filing fee.

**AFFIRMATION**

I, Maria P. Fornaro, Esq., do hereby affirm, pursuant to article 7507 of the Civil Practice law and Rules, that I am the individual described herein, and who executed this instrument which is my award.

  
Maria P. Fornaro, Esq

July 30, 1997  
Date of award